THE HON'BLE SRI JUSTICE C.V. RAMULU

Monday, 4th September, 2006

W.P.No.18439 of 2006

Between:

A. Kanakaiah & others ... Petitioners

and

The Govt. of A.P. rep by its
Principal Secretary, Food &
Agriculture (Cooperation)
Department, Secretariat,
Hyderabad & others ... Respondents

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ORAL ORDER:

Heard both sides.

The case of the petitioners is that they are the members of the respondent-society. They have paid share capital of Rs.20/- each as per Bye-law No.5 and became members. However, by G.O.Ms.No.37, Agriculture and Cooperation (Coop.IV) Dated, 28-1-2002 an amendment was brought to the Andhra Pradesh Cooperative Societies Rules (for short 'the Rules') and the share capital is increased to Rs.300/- and contribution of a minimum thrift amount of Rs.200/- was stipulated. According to the petitioners, they are all poor agriculturists and are not in a position to pay the share capital as enhanced and also the thrift amount, and unless and until these amounts are paid, they will not be allowed to vote in an election to the society or to contest the elections. The elections to the society are ensuing. Therefore, they made a representation on 1-8-2006 to the 3rd respondent seeking exemption as provided under Rule 18 of the Rules. The said representation is still pending.

In view of the above, without going into the merits, the 3rd respondent is directed to dispose of the representation purported to have been made by the petitioners on 1-8-2006 and pass appropriate orders as per Rule 18 of the Rules, within a period of one week from the date of receipt of a copy of this order. Till such time, the voters' list shall not be finalized.

With the above direction, the Writ Petition is disposed of. No order as to costs.

04-9-2006

Office to despatch
copies forthwith
(B.O.)

prk